

A MEETING OF THE SODDY-DAISY
MUNICIPAL PLANNING COMMISSION
WAS HELD ON WEDNESDAY,
JANUARY 13, 2010 AT 12:00 NOON.

MEETING CALLED TO ORDER BY:
CHAIRMAN ORR

MEMBERS PRESENT:
CHAIRMAN ORR
VICE-CHAIRMAN SKILES
SECRETARY PENNEY
COMMISSIONER HAYES
COMMISSIONER NUNLEY
COMMISSIONER RICHIE
COMMISSIONER STULCE
REC. SEC. DOLBERRY

The minutes of the meeting held December 9, 2009 were presented and approved as presented.

OLD BUSINESS:

FINAL PLAT - WEATHERSBY ROAD EXTENSION, CITY OF SODDY-DAISY.

Bill Davis, David Mathews Surveying, was present on behalf of the request. He stated that the City of Soddy-Daisy at the request of the Weathersby Road residents was in the process of accepting an extension to Weathersby Road. He stated that the purpose of the plat is to dedicate additional right-of-way on Weathersby. He further stated that all the property owners were in agreement and all but one had signed the plat. He stated that the property owner who had not yet signed the plat is in the middle of a divorce and had been advised by her attorney not to sign until judgement is received. He said that they hoped to receive judgement within the week. He stated that the Health Department had not yet signed the plat as they could not sign until all the property owner's signatures were in place. He presented the Commission with a fax from the Health Department stating that they would sign when all the owner's signatures were in place. He asked that the Commission approve the plat subject to the Health Department and Mrs. Wynn's signatures. Recording Secretary Dolberry stated that the Zoning Board of Appeals had granted the three variance requests to the plat earlier this morning. Mr. Davis stated that the right-of-way dedication creates the need for two front yard set back variances and one road frontage variance and those were granted by the Zoning Board of Appeals today. Chairman Orr asked Mr. Davis if the plat was at the City's request. Mr. Davis stated that it was. Commissioner Penney questioned if the road is paved. Mr. Davis stated that a portion of it is and that some of the existing asphalt is broken in places. Commissioner Skiles stated that since a divorce is involved he was not comfortable approving the plat subject to as it could take quiet some time to finalize the divorce. He stated that the City could not proceed under the current weather conditions anyway. Commissioner Stulce made a motion to table action until the next meeting.

1st - Commissioner Stulce to table until February.
2nd - Secretary Penney
Ayes - Unanimous

NEW BUSINESS:

REZONING REQUEST - 8855 DAYTON PIKE, FROM R-2 AND C-2 TO C-2, RONNIE F.
PAYNE. RECOMMENDATION TO THE CITY COMMISSION.

Ronnie Payne was present on the behalf of the request. He stated that the agenda showed his middle initial as K and stated that the correct initial is F. He stated that he had purchased the property several years ago and thought at that time that the lot was zoned C-2, but recently discovered that a portion of the property is still zoned R-2. Commissioner Skiles asked the depth of the area zoned R-2. Mr. Payne stated that it is approximately 48 feet 6 inches deep. Chairman

Orr stated that the City has zoned an area approximately 150 to 200 feet in depth along Dayton Pike to C-2 a few years ago.

- 1st - Commissioner Skiles to recommend approval to the City Commission.
- 2nd - Commissioner Richie
- Ayes - Unanimous

REZONING REQUEST - 109 SWAFFORD ROAD, FROM R-2 TO C-2, KENNETH & CYNTHIA ROSE. RECOMMENDATION TO THE CITY COMMISSION.

Kenny Rose was present on behalf of the request. He stated that he owns the lot at the corner of Dayton Pike and Swafford Road which is adjacent to this property. He said that the lot on Dayton Pike is currently zoned C-2 and he is asking to rezone the Swafford Road property also. Chairman Orr questioned Mr. Rose as to his plans for the parcel. Mr. Rose stated that he did not have any plans for development at this time, but was requesting the rezoning to help Mr. Burroughs, who owns the lot to the rear of his. Commissioner Skiles stated that the property on three sides of Mr. Rose's parcel is already zoned commercial. Chairman Orr stated that the Regional Planning Agency had recommended denial as this is speculative zoning. Commissioner Stulce stated that there are residences on the West and North sides of the property. Mr. Rose stated that this is correct and that Jack Morton owns the lot on the west side of 109 Swafford Road and had indicated to Mr. Rose that he would be willing to sell his parcel too should Mr. Rose receive an offer for his property. Chairman Orr stated that it would be good if Mr. Rose had some type of development in mind as the zoning would then not be speculative, but he had some reservation about zoning the lot without a plan. Mr. Rose stated that C-2 zoning would still be C-2 zoning years from now and he did not see the problem with the rezoning. He further stated that had he known this would be controversial he would not have made the request. He only requested the rezoning to help Mr. Burroughs with his request for rezoning of the lot to the rear of his. Commissioner Skiles asked if there were anyone present in opposition to the request. There was none. Commissioner Stulce stated that he felt the Commission should depend on the RPA's recommendations and that the request should be denied as it is speculative zoning. Commissioner Richie stated that 14 letters had been mailed to surrounding property owners and that no one is present in opposition. Commissioner Skiles stated that the lot abuts C-2 zoning.

- 1st - Commissioner Nunley to recommend approval to the City Commission.
- 2nd - Commissioner Penney
- Ayes - Unanimous

REZONING REQUEST - 110 LUTTRELL DRIVE, FROM R-2 TO C-2, BILLY E. BURROUGHS, JR. RECOMMENDATION TO THE CITY COMMISSION.

Billy Burroughs was present on behalf of the request. He stated that he owns the parcel located at 110 Luttrell Drive and there is a metal building existing on the property. He further stated that the parcel is located behind Mr. Payne's property. He said that the building is currently used for storage, but he has been approached by a man that would like to rent the building and use it for ebay sells and jet ski repair. He said the business was formerly located in Lakeshore, but due to downsizing the owner wished to move it to this building. Chairman Orr questioned if the business would be a small mechanics business. Mr. Burroughs stated that the owner repairs jet skis and 4 wheelers for sale on ebay. Chairman Orr stated that the access to this property is off of Luttrell Drive which is a residential street. Mr. Burroughs stated that the Luttrell Drive access is roped off and he currently leases a gravel right-of-way across Mr. Payne's property to Dayton Pike. Chairman Orr stated that the recommendation from RPA is to deny the request as access is through a residential neighborhood and he stated that he is reluctant to approve the request. He said he felt the Commission should recommend to deny the request, but that the City Commission could accept or reject their recommendation. Commissioner Stulce questioned if there was a residential house on the lot to the west of Mr. Burrough's property. Mr. Burroughs stated that there is. Commissioner Stulce stated that with the area on Luttrell Drive already developed as residential he could not recommend to rezone to commercial.

- 1st - Commissioner Stulce to recommend denial to the City Commission.
- 2nd - Commissioner Hayes
- Ayes - Unanimous

Mr. Burroughs asked if he needed to be present at the City Commission meeting. Recording Secretary Dolberry stated that this was correct and gave the meeting date and time as January 21st at 7:00 p.m.

Chairman Orr stated that he prepared preliminary wording for an amendment to the Soddy-Daisy Subdivision Regulations which would allow more time for the Planning Commission's review of plats in which there is new street construction and/or 5 lots or more. Discussion was held concerning the wording. After deliberation the preliminary wording was determined as follows:

All preliminary and final subdivision plats requiring new road construction and/or containing 5 lots or more shall be submitted to the Planning Commission for review on the second Wednesday of the month. Upon completion of the checklist the plat will be returned to the surveyor for amendments. After the checklist items have been addressed the amended plat will be resubmitted to the Planning Commission for review no later than Friday prior to its regularly scheduled meeting. The plat will be under review for a minimum of 30 days. At the end of the review period, it will be placed on the next regularly scheduled meeting agenda for action by the Planning Commission.

It was the consensus of the Commission to present the wording to the City Attorney for review and after the required advertisement, the public hearing will be held prior to adoption.

ADJOURNED 1:05 P.M.

REC. SEC. DOLBERRY